

Message Text

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PAGE 01 USUN N 00700 010117Z

62

ACTION DLOS-06

INFO OCT-01 IO-14 ISO-00 AF-10 ARA-16 EA-11 EUR-25 NEA-10

RSC-01 CG-00 CIAE-00 DODE-00 PM-07 H-03 INR-10 L-03

NSAE-00 NSC-10 PA-04 PRS-01 SPC-03 SS-20 USIA-15

SAM-01 CEQ-02 COA-02 COME-00 EB-11 EPA-04 NSF-04

SCI-06 FEA-02 ACDA-19 AEC-11 AGR-20 DOTE-00 FMC-04

INT-08 JUSE-00 OMB-01 DRC-01 /266 W

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E.O. 11652: NA

TAGS: PBOR, UN

SUBJ: LOS CONSULTATIONS ON CONFERENCE RULES OF PROCEDURE

REF: USUN 678

SUMMARY: INFORMAL CONSULTATIONS ON LOS CONF RULES OF PROCEDURE CONTINUED TODAY. DRAFTING GROUP PRODUCED HEAVILY BRACKETED TEXT OF RULE 37; SEVEN POWERS CIRCULATED INFORMAL SUGGESTION CONCERNING RULE. US ADDRESSED MEETING. END SUMMARY.

1. AT INFORMAL PLENARY MEETING MEETING ON CONF RULES CHAIRED BY AMB AMERASINGHE FEB 28 (45 DELS ATTENDING), CANADA (BEESLEY) ANNOUNCED CONCLUSION OF HIS SMALL INFORMAL DRAFTING GROUP'S ATTEMPTS TO FORMULATE ACCEPTABLE VERSION OF RULE 37. END PRODUCT IS THREE-PAGE PAPER CONTAINING EXTRAORDINARY NUMBER OF BRACKETS. (COPY POUCHED TO SCULLEY, IO/UNP.) BEESLEY ADMITED NUMBER OF BRACKETS WAS APPALLING BUT SAID EXERCISE WAS USEFUL IN ELIMINATING SOME DISAGREEMENTS AND CLARIFYING LINES OF OPINION. HE REVIEWED MAJOR PROBLEMS PREVENTING AGREEMENT (REFTEL) AND ANNOUNCED GROUP, UNCLASSIFIED

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PAGE 02 USUN N 00700 010117Z

AS CONSTITUTED, COULD ADVANCE NO FURTHER. (BEESLEY THEN DEPARTED

NEW YORK.)

2. MEXICO DELOFF (ROZENTAL) THEN CIRCULATED QUOTE INFORMAL SUGGESTION CONCERNING RULE 37 BY AUSTRALIA, COLOMBIA, FIJI, MEXICO, NEW ZEALAND, NORWAY AND THAILAND UNQUOTE. (TEXT BELOW.) CO-SPONSORING DELS INDICATED SUGGESTION HAD NO EFFECT ON STATUS OF THEIR INDIVIDUAL STATE'S AMENDMENTS TO DRAFT RULES BUT REPRESENTED HONEST ATTEMPT TO CREATE COMPROMISE TEXT OUT OF HEAVILY BRACKETED DRAFTING GROUP'S TEXT. MEXICO URGED OTHERS TO JOIN EFFORTS TO IMPORVE TEXT OR CREATE COMPETING TEXTS FOR SUBMISSION TO CARACAS CONF.

3. US (REIS) NOTED SERIOUSNESS WITH WHICH USG TAKES PROCEDURAL ISSUES. OBJECT OF EFFORTS MUST BE AGREED RESOLUTION OF THESE ISSUES AT CARACAS; WORST POSSIBLE WAY TO START THE CONFERENCE WOULD BE TO DECIDE THESE BY VOTING. NEED IS FOR NEGOTIATIONS; TEXTS SHOULD BE PREPARED TO THAT END, NOT AS ALTERNATIVES FOR VOTING. BEARING IN MIND CONFERENCE'S DECISION TO DISPOSE OF PROCEDURAL MATTERS BY 27 JUNE, THERE IS CONCERN OVER CHARACTER AND PACE

OF THIS WEEK'S WORK; US WOULD PARTICIPATE IN ANY MEANINGFUL EFFORTS TO GET SERIOUS NEGOTIATIONS STARTED. ON SPECIFICS, OPPOSED NORWEGIAN POSITION, REFLECTED IN TEXT OF NEW SEVEN-POWER SUGGESTION, THAT SIMPLE MAJORITY OF THOSE PRESENT AND VOTING (I.E. EXCLUDING ABSTENTIONS) SHOULD SUFFICE TO DECIDE THAT ALL EFFORTS TO REACH CONSENSUS HAD BEEN EXHAUSTED; CLEARLY ALL SUCH EFFORTS WOULD NOT IN FACT HAVE BEEN EXHAUSTED IF, SAY, 30 OR 40 DELS THOUGHT NEGOTIATIONS SHOULD CONTINUE. REITERATED US PROPOSALS FOR MAJORITY (MAIN COMMITTEE) AND TWO-THIRDS (PLENARY) OF PARTICIPANTS IN THE CONFERENCE, AND NOTED SIMILAR CONCERN REFLECTED IN PROPOSALS OF USSR, AUSTRALIA, SPAIN AND AFGHANISTAN/NEPAL/ZAMBIA. CONCLUDED WITH ASSERTION THAT NEGOTIATION OF GENTLEMEN'S AGREEMENT HAD BEEN INDISPENSABLE TO UNGA'S DECISION TO CONVENE LOS CONFERENCE AND THAT ITS IMPLEMENTATION, AND ADHERENCE TO IT, WOULD DETERMINE SUCCESS OF CONFERENCE.

4. AUSTRALIA (MOTT) AND NORWAY (EVESEN) REVIEWED WHAT THEY ATTEMPTED TO ACHIEVE IN THIE INFORMAL SUGGESTION, ADMITTED ITS WEAKNESSES, AND STATED THEIR INTENTION WAS TO CREATE DOCUMENT UNCLASSIFIED

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PAGE 03 USUN N 00700 010117Z

MEETING CONCERNS OF AS MANY DELS AS POSSIBLE. TANZANIA STRONGLY OPPOSED PARA 2 OF PROPOSAL SAYING THAT, AT END OF PERIOD OF DEFERRAL, VOTE ON SUBSTANCE MUST BE AUTOMATIC UNLESS MAJORITY VOTES NOT TO DO SO.

5. AT CONCLUSION OF MEETING AMERASINGHE ANNOUNCED HE HAD NO INTENTION OF ABANDONING EFFORTS TOWARD ACHIEVING ACCEPTABLE RULES BEFORE CARACAS. HE FURTHER PROPOSED THAT ANOTHER MEETING

BE HELD IN NEW YORK 12-14 JUNE ON URLES.

QTE:

1. TO FACILITATE THE ACHIEVEMENT OF GENERAL AGREEMENT ON QUESTIONS OF SUBSTANCE# THE PRESIDENT OF THE CONFERENCE OR THE CHAIRMAN OF A MAIN COMMITTEE AS APPROPRIATE MAY, AND SHALL IF REQUESTED BY AT LEAST 15 REPRESENTATIVES, DEFER FOR A REASONABLE AND SPECIFIED PERIOD OF TIME THE TAKING OF A VOTE ON QUESTIONS OF SUBSTANCE IN THAT ORGAN OF

THE CONFERENCE. IN NO CASE SHALL SUCH DEFERMENT EXCEED..DAYS FROM THE TIME OF THE POSTPONEMENT. THE PRESIDENT OR THE CHAIRMAN AS THE CASE

MAY BE, TOGETHER WITH THE GENERAL COMMITTEE, SHALL MAKE EVERY EFFORT DURING THE PERIOD OF DEFERMENT TO FACILITATE THE ACHIEVEMENT OF GENERAL

AGREEMENT. IF BY THE END OF THE SPECIFIED PERIOD NO AGREEMENT HAS BEEN REACHED, THE VOTE SHALL BE TAKEN AT A SUBSEQUENT MEETING TO BE HELD WITHIN 2 DAYS.

2. IF THERE IS OBJECTION TO PROCEEDING TO A VOTE, A DECISION TO VOTE IN THE PLENARY FOLLOWING A DEFERMENT UNDER THIS RULE SHALL REQUIRE A TWO-THIRDS MAJORITY OF REPRESENTATIVES PRESENT AND VOTING. IN THE MAIN

COMMITTEES SUCH A DECISION SHALL REQUIRE A SIMPLE MAJORITY OF REPRESENTATIVES PRESENT AND VOTING.

ATTENTION IS DRAWN TO THE GENTLEMAN'S AGREEMENT APPROVED BY THE GENERAL ASSEMBLY ON 16 NOVEMBER 1973. UNQTE.

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